



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Paper No. 10

KILLWORTH GOTTMAN HAGAN & SCHAEFF  
SUITE 500  
ONE DAYTON CENTER  
DAYTON, OH 45402-2023

COPY MAILED

JUL 18 2003

OFFICE OF PETITIONS

In re Application of :  
Ross Alexander Saunders et al :  
Application No. 09/943,077 : DECISION GRANTING PETITION  
Filed: August 30, 2001 : UNDER 37 CFR 1.137(b)  
Attorney Docket No. SOI 0002 PA :

This is a decision on the petition, filed May 12, 2003, to revive the instant nonprovisional application for failure to timely notify the U.S. Patent and Trademark Office (USPTO) of the filing of an application in a foreign country, or under a multinational treaty that requires publication of applications eighteen months after filing. See 37 CFR 1.137(f).

The petition is DISMISSED.

Any request for reconsideration of this decision must be filed within TWO MONTHS from the mail date of this decision. Extensions of time are available pursuant to the provisions of 37 CFR 1.136(a).

A petition under 37 CFR 1.137(f) must be accompanied by:

- (1) the reply which is met by the notification of such filing in a foreign country or under a multinational treaty;
- (2) the petition fee as set forth in 37 CFR 1.17(m); and
- (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The petition fails to comply with item (1) above. More specifically, while notification has been given of the foreign

filing, the petition fails to state the date of such foreign filing. Accordingly, the date of foreign filing must be supplied in order to grant the revival of the instant application.

Further correspondence with respect to this matter should be addressed as follows:

**By mail:** Mail Stop PETITION  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**By hand:** Crystal Plaza Four, Suite 3C23  
2201 South Clark Place  
Arlington, VA 22202

**By Fax:** (703) 308-6916  
ATTN: Office of Petitions

Any questions concerning this matter may be directed to WanLaymon at (703) 306-5685.



Frances Hicks  
Lead Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy